THE BOMBAY LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES ACT, 1937.

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BOMBAY ACT No. III OF 1937.[1]

[THE BOMBAY LEGISLATURE MEMBERS' SALARIES AND ALLOWANCES Act, 1937.]

[*23rd October 1937.*]

Amended by Bom. 11 of 1946*.

An Act to provide for the salaries and allowances of Members of the Bombay Legislature.

WHEREAS it is expedient to provide for the salaries and allowances of Members of the Bombay Legislature; It is hereby enacted as follows:—

Short title.

1. This Act may be called the Bombay Legislature Members' Salaries and Allowances Act, 1937.

Definitions.

2. In this Act—

(*1*) "Assembly" means the Bombay Legislative Assembly constituted under the said Act.

(*2*) "Chamber" means the Assembly or the Council, as the case may be.

(*3*) "Council" means the Bombay Legislative Council constituted under the said Act.

(*4*) "Member" means the Member of a Chamber.

(*5*) "Minister" means a Minister chosen and for the time being holding the office of a Minister under section 51 of the said Act.

(*6*) "Parliamentary Secretary" means the Parliamentary Secretary to the Minister.

(*7*) "President" means the President of the Council.

(*8*) "Speaker" means the Speaker of the Assembly.

26 Geo. 5, c. 2.

(*9*) "The said Act" means the Government of India Act, 1935.

Salaries and allowances to be paid to Members.

3. [2][(*1*)] There shall be paid to each Member—

(*a*) a salary at the rate of Rs. [3][150] per month;

(*b*) a daily allowance at the rate of Rs. [4][5] for each day of the period of residence for the purpose of attending the session of a Chamber or the meeting of a Committee of such Chamber at the place where such session or meeting is held; and

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1937, Pt. V, p. 36; for Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1937, Vol. I, pp. 1016-1043, 1045-1066, 1253-1261; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1937, Vol. I, pp. 218-237.

[2] This section was renumbered as 3 (*1*) by Bom. 11 of 1946, s. 2.

[3] These figures were substituted for the figures "75", *ibid.*

[4] This figure was substituted for the figure "3", *ibid.*

*The amendments made by this Act shall be deemed to have been made on and to have effect from the 3rd day of April 1946.

(*c*) a travelling allowance for journey undertaken for the said purpose to such place and for return journey from such place—

(*i*) at such rate not exceeding double the fare of such class provided on railway or steamer, as may be prescribed by the Provincial Government, and

(*ii*) at such rate per mile for journey by road, sea or river in addition to the journey by railway or steamer, as may be prescribed by the Provincial Government:

Provided that nothing in this [1][sub-section] shall entitle a member to daily and travelling allowances, if such member ordinarily resides or carries on business at the place where the session of the Chamber or the meeting of the Committee is held.

[2][(*2*) Notwithstanding anything contained in sub-section (*1*) there shall be paid to each Member a conveyance allowance at the rate of Rs. 3 per day for each day on which he attends the session of a Chamber or the meeting of a Committee of such Chamber.]

Minister, President or Speaker or Parliamentary Secretary not entitled to salary or allowances under this Act.

4. Notwithstanding anything contained in this Act, a Minister, the President or Speaker or a Parliamentary Secretary shall not be entitled to any salary or travelling allowance under this Act by reason of the fact that such Minister, President or Speaker, or a Parliamentary Secretary is a Member.

Power of Provincial Government to make rules.

5. (*1*) As respects all matters for which no express provision has been made in this Act the Provincial Government may make rules for the purpose of carrying out the purposes of this Act.

(*2*) Rules made under this section shall have effect as if enacted in this Act.

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[1] This word was substituted for the original by Bom. 11 of 1946, s. 2.
[2] This sub-section was added, *ibid.*